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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/820,006

04/08/2004

Wen-Sheng Huang

GFP-2458

8558

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07/12/2007

EXAMINER

GEHMAN, BRYON P

ART UNIT

PAPER NUMBER

3728

MAIL DATE

DELIVERY MODE

07/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/820,006

Applicant(s)

HUANG, WEN-SHENG

Examiner

Bryon P. Gehman

Art Unit

3728

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Art Unit: 3728

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 4, lines 10 and 12, "the first end" lacks antecedent basis.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitz (6,908,022) in view of Huang (6,659,326). Schmitz discloses a washers assembly comprising a plurality of stacked washers (38 or 192) and each washer having a central aperture (as shown), a positioning washer (lowermost washer) located at a lowermost end of the stacked washers and having a positioning aperture (as shown), and an at least somewhat flexible (at its lower bifurcated end) elongate member (194) extending through the central apertures of the stacked washers and the positioning aperture of the positioning washer, a diameter of the elongate member being smaller than an inner diameter of the central apertures and larger than an inner

Art Unit: 3728

diameter of the positioning aperture(see Figures 1, 15 and 17, the enlarged end of the elongate member), a first end of the elongate member being force-fitted with the positioning aperture and capable of disengaging from the positioning aperture by forcibly pulling from a second end of the elongate member (see Figures 1, 15 and 17). Huang discloses roofing washers similarly stacked, with the elongate member being flexible. To modify the washers assembly of Schmitz employing roofing washers as taught by Huang would have been obvious as a substitution of particular washers. To any degree it may be shown the elongate member of Schmitz is not flexible at all, Huang further discloses a somewhat flexible elongate member to be known in the art.

As to claim 2, Schmitz further discloses a ring (200).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 1 above, and further in view of Beach et al. (4,890,968). Beach et al. discloses a polygonal aperture (defined by 342) in a roofing washer. To employ the roofing washer of Beach et al. in the stacking assembly would have been an obvious substitution of known roofing washers in the combination.

6. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitz in view of Huang ('326). Schmitz discloses a washers assembly comprising a plurality of stacked washers (38 or 192) and each washer having a central aperture (as shown), and an at least somewhat flexible (at least at its lower bifurcated end) elongate member (194) extending through the central apertures of the stacked washers, a

Art Unit: 3728

diameter of the elongate member being smaller than an inner diameter of the central apertures, a first end of the elongate member extending through the central aperture of the lowermost end of the stacked washers and a positioning piece (200) connected to the first end of the elongate member and sized to be larger than the inner diameter of the central apertures, the positioning piece being separable from an end of the elongate member when a second end of the elongate member is forcibly pulled. Huang discloses roofing washers similarly stacked, with the elongate member being flexible. To modify the washers assembly of Schmitz employing roofing washers as taught by Huang would have been obvious as a substitution of particular washers. To any degree it may be shown the elongate member of Schmitz is not flexible at all, Huang further discloses a somewhat flexible elongate member to be known in the art.

As to claim 5, Schmitz further discloses a ring (200).

7. Claim 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shown are stacked washer assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryon P. Gehman whose telephone number is (571)

Art Unit: 3728

272-4555. The examiner can normally be reached on Tuesday through Thursday from 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu, can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Bryon P. Gehman
Primary Examiner
Art Unit 3728

BPG